

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ELIZABETH RIVERA,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	No. 15-6590
	:	
DEALER FUNDING, LLC, COLLATERAL	:	
ADJUSTMENT CORPORATION, and	:	
CONSOLIDATED ASSET RECOVERY	:	
SYSTEMS INC.,	:	
	:	
Defendants.	:	
	:	

ORDER

AND NOW, this 15th day of April, 2016, upon consideration of Defendant, Collateral Assets' Motion to Dismiss and Strike Portion of Plaintiff's Complaint (Doc. No. 15), and the Response in Opposition filed by Plaintiff, Elizabeth Rivera, it is hereby **ORDERED** that:

1. Count III of Plaintiff's Complaint is **DISMISSED** by agreement as to Defendant Collateral Adjustment Corporation pursuant to Fed. R. Civ. P. 12(b)(6);
2. Paragraphs 41 and 49 are **STRICKEN** from the Complaint by agreement;
3. Section A's references to the UTPCPL and FCEUA and Section G of Plaintiff's Prayer for Relief are **STRICKEN** as to Defendant Collateral Adjustment Corporation by agreement;
4. Count I of Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** as to Defendant Collateral Adjustment Corporation pursuant to Fed. R. Civ. P. 12(b)(6);

5. Count II of Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** as to Defendant Collateral Adjustment Corporation pursuant to Fed. R. Civ. P. 12(b)(6);
6. Sections B, D, and E of Plaintiff's Prayer for Relief are **STRICKEN WITHOUT PREJUDICE** as to Defendant Collateral Adjustment Corporation pursuant to Fed. R. Civ. P. 12(f); and
7. Plaintiff is **GRANTED** leave to file an amended Complaint consistent with our Memorandum Opinion within fourteen (14) days of this Order.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE